

OCT 13 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

October 13, 2003

In re Application of: Cris E. Pasto  
Serial No. 10/720,997  
Filed: 11/24/20003  
For: **METHOD AND APPARATUS FOR BUTTRESS STABILIZATION**  
Examiner: Baxter, Gwendolyn Wrenn  
Art Unit: 3632  
Attorney Docket No.: RQJ-005CIP  
Confirmation No.: 3390

## RESPONSE TO RESTRICTION REQUIREMENT

## REMARKS

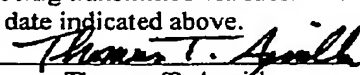
The Office Action of October 3, 2005 has been reviewed and its contents carefully noted. Reconsideration of this case is earnestly requested. Claims 1-25 remain in this case.

The Restriction Requirement

The requirement for restriction and/or election, as best understood, is respectfully traversed. However, in the interest of moving prosecution forward and to avoid abandonment of the application, **Applicant hereby elects Group I, claims 1-20, for initial search and examination.** Furthermore, Applicant respectfully submits that Group V, claim 25, should be examined together with the elected claims in Group I, as all of the claims are directed to a method for vehicle stabilization and thus the searches would be co-extensive.

The MPEP states the following with regard to stating a *prima facie* case of restriction between patentably distinct inventions:

"There are two criteria for a proper requirement for restriction between patentably distinct inventions:

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| CERTIFICATE OF FACSIMILE TRANSMISSION  |                         |
| FACSIMILE NO: <u>571-273-8300</u>  | DATE: <u>10/13/2005</u> |
| I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents, to the facsimile number and on the date indicated above. |                         |
| <br>Thomas T. Aquila   |                         |